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REMARKS AND RESPONSE TO RESTRICTION REQUIREMENT

Claims 18 through 29 are now in the Application with Claims 18 and 21 being the only independent claims.

In the instant response Claims 1-17 have been canceled without prejudice to or disclaimer of the subject matter recited therein and Claims 18 through 29 have been added. No new matter is believed to be at issue.

New Claims 18 through 29 are drawn to an isolated polynucleotide encoding a scorpion toxin of SEQ ID NO:14, host cells, and virion constructs containing the polynucleotide and are believed to correspond to Group VII of the Office Action. This is the same group as original Claims 1-10 and 16-17, drawn to an isolated polynucleotide encoding a scorpion toxin of SEQ ID NO:14, host cells, and virion constructs containing the polynucleotide.

New Claims 18 through 29 merely express more clearly that which the inventors consider their invention. Support for new Claims 18 through 29 is found throughout the specification as filed. Support for new Claims 18 through 20 may be found, for example, on page 6, Table 1, and page 8 lines 3 and 4. Support for new Claims 21 and 22 may be found, for example, on page 19, table 4, and page 8, lines 3 and 4. Support for new Claims 23, 24, and 27 may be found, for example, on page 11, line 36 through page 12, line 2. Support for new Claim 25 may be found, for example, on page 3, lines 16 through 18. Support for new Claim 26 may be found, for example, on page 3, lines 18 through 19. Support for new Claim 28 may be found, for example, on page 14, line 3. Support for new Claim 29 may be found, for example, on page 7, lines 15 through 31. No new matter is believed to be at issue.

The specification has been amended to add the continuity information to the first paragraph after the title of the application. This information is found on the Application Data Sheet submitted with the Application on October 26, 2004. No new matter is believed to have been introduced.

Response to Restriction Requirement

Applicants elect, without traverse, Group VII, new Claims 18 through 29, drawn to an isolated polynucleotide encoding a scorpion toxin of SEQ ID NO:14, host cells, and virion constructs containing the polynucleotide.

Applicants believe new Claims 18 through 29 to be directed to Group VII.

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Please charge any fees or credit any overpayment of fees which are required in connection herewith to Deposit Account No. 04-1928 (E. I. du Pont de Nemours and Company).

Examination on the merits and allowance of the above-referenced application is respectfully requested.

Respectfully submitted,



MARIA RESTREPO-HARTWIG
AGENT FOR APPLICANTS
REGISTRATION NO. 52,163
TELEPHONE: 302 695-3129
FACSIMILE: 302 892-1026

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